REMARKS

Applicant is in receipt of the Office Action mailed June 4, 2003. Claims 1 – 15 were pending in the present application. Claims 1 – 15 remain pending in the application.

Claims 1 – 15 were rejected under 35 U.S.C. §102(b) as being unpatentable over US 4,783,734 (May et al, hereinafter "May"). Applicant respectfully traverses this rejection.

The Examiner states that May teaches a process and a spin daemon, wherein the process is waiting for a flag to change condition, wherein the process transmits a flag monitor request to the spin daemon and de-schedule itself, and after the flag changes condition, enable the process to be rescheduled for execution by the computer. Applicant respectfully disagrees with the Examiner's characterization of May.

May teaches a method and system for communicating variable length data between a plurality of concurrent processes. (Abstract). Specifically, May teaches a method wherein a process is operable to receive data from another process through a channel, and deschedule itself if no data is available. The inputting process itself examines all channels to determine if one or more are ready for input. (col. 39, lines 25 – 41).

Applicant can find no language within May that teacher or suggests a system wherein "**the process being configured to**, when it is waiting for a flag to change condition, **transmit a flag monitor request to the spin daemon** and de-schedule itself," as recited in Applicant's claim 1.

Furthermore, Applicant disagrees with the Examiner's characterization of "processor to schedule" as a spin daemon. Applicant can find no language in May that teacher or suggests a system wherein "**the spin daemon being configured to, after receiving a flag monitor request monitor the flag, and after the flag changes**

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condition, enable the at least one process to be re-scheduled for execution," as recited in claim 1.

For at least these reasons, claim 1, along with its dependent claims 2 – 5, are believed to patentably distinguish over the cited reference

Claims 6 and 11 recite features similar to claim 1. As such, claims 6 and 11, along with their dependent claims 7 – 10 and 12 – 15, are also believed to patentably distinguish over the cited reference for at least the same reason.

CONCLUSION

In light of the foregoing remarks, Applicant respectfully submits the application is now in condition for allowance, and an early notice to that effect is requested.

No fees are believed necessary; however , the Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505\5181-93900\BNK.

Respectfully submitted,

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